

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KENDRICK HARRIS, )  
                        )  
Plaintiff,           )  
                        )  
v.                     )                              No. 4:07CV965 CEJ  
                        )  
UNKNOWN COLLINS, et al., )  
                        )  
Defendants.          )

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's third motion for extension of time to provide the Court with defendants' proper names and addresses in order to effectuate service in this matter. For the foregoing reasons, the motion will be denied and this matter will be dismissed without prejudice.

Plaintiff filed this 42 U.S.C. § 1983 action on May 14, 2007 alleging violations of his constitutional rights. He asserted that on or about April 17, 2007 he was handcuffed and detained by members of the Forest Park Hospital Security team after going to the hospital for emergency treatment. Plaintiff further alleged that he was falsely arrested by members of the St. Louis City Police Department and subsequently, unlawfully detained at the St. Louis City Justice Center. While detained at the Justice Center, plaintiff alleges that he sought, and was denied, medical treatment for a lump in his head that caused him headaches, infection, dizziness, and itching. Plaintiff

further alleged that he was denied prescription medication that he had previously obtained from the hospital's emergency room.

On September 28, 2007, plaintiff's complaint was reviewed for frivolity pursuant to 28 U.S.C. § 1915(e)(2)(B). The only claims surviving review were plaintiff's claims for false arrest against defendants John and Jane Doe police officers, as well as his claims against defendants Unknown Collins, Unknown Sims and Unknown Hill regarding the purported denial of adequate medical care. Subsequently, plaintiff was ordered to provide the Court with proper names and addresses for the John and Jane Does in order to effectuate service of process, and the Clerk of the Court was ordered to cause process to be issued on defendants Collins, Sims and Hill. Plaintiff failed to provide the Court with addresses for the John and Jane Doe defendants within a timely manner, and the Office of the United States Marshal was unable to effectuate service on defendants Collins, Sims and Hill due to plaintiff's failure to fully identify these defendants.

Since September 28, 2007, plaintiff has been granted, on two separate occasions, extensions of time to provide the Court with defendants' full names and addresses. Despite having been given over four months to investigate defendants' names, plaintiff has failed to provide the Court with the information necessary to move his lawsuit forward against even one defendant in this action. Although he seeks a third extension

of time to provide the Court with the necessary information, he has not articulated how the provision of additional time will aid him in accomplishing this task, nor has he shown good cause for his failure to comply with the December 3, 2007 Order directing him to provide the full names and addresses of all remaining defendants no later than January 7, 2007. As such, the Court will deny plaintiff's motion for extension of time and dismiss this action, without prejudice, pursuant to Federal Rule of Civil Procedure 41(b).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's third motion for extension of time to provide the Court with defendants' proper names and addresses in order to effectuate service in this matter [Doc. #20] is **denied**.

**IT IS FURTHER ORDERED** that plaintiff's motions for appointment of counsel [Docs. #10 and #19] are **denied as moot**.

Dated this 6th day of February, 2008.

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE